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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,711	03/10/2000	Takashi Kenmochi	P65138US0	6046
136	7590	11/17/2004	EXAMINER DANG, DUY M	
JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			ART UNIT 2621	PAPER NUMBER

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/522,711	Applicant(s) KENMOCHI, TAKASHI	
	Examiner Duy M Dang	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/1/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,8 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 8 is/are allowed.
- 6) ☒ Claim(s) 21,22,25 and 26 is/are rejected.
- 7) ☒ Claim(s) 23-24 and 27-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/1/04 has been entered.
2. Claims 1, 8 and 21-28 are currently pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 21-22 and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Augenbraun et al. (US Patent No. 5,654,759, art of record filed 11/20/03, paper #6).

Regarding claim 21, Augenbraun teaches an apparatus for detecting a block noise generated on an input video signal that has been coded and decoded per pixel block (see col. 1 lines 5-10), the apparatus comprising:

a differentiator to differentiate the input video signal per pixel block to obtain a differentiated signal (i.e., the use of the pixel differences to determine the cost function mentioned in col. 2 lines 39-41 and col. 8 lines 14-23. Note the equation shown in column 8 lines 14-23, the differences between the pixel blocks A and B, and A and C refer to these claimed features);

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a detector to detect a solitary differentiated points on the differentiated signal and output a first detection signal having a first level for each solitary differentiated point and a second level for each portion of the differentiated signal at which no solitary differentiated pointed is detected; and (i.e., the blockiness identification circuit 202 employs a cost function to identify video data corresponding to blocky frames or images mentioned in col. 7 lines 65-67 and figure 2. Note the video data corresponding to blocky frames or images refers to the so called "solitary differentiated points". This interpretation appears to consistent with applicant's disclosed figure 3C and page7 lines 19-20);

a first processor to receive the first detection signal and a first delay signal (i.e., the signal representing the first and second blocks shown in figure 7), output a first addition signal in which the first detection signal and the first delay signal are added to each other (see adder 12 of figure 1) and delay the first addition signal by a period corresponding to a total number of pixels on a horizontal direction in each pixel block (see figure 7. Note that block 2 is delayed by a period corresponding to the number of pixels of block 1 on the horizontal direction), the first addition signal thus delayed being fed back to the first processor as the first delay signal (see output from motion compensation 28 to adders 12 and 24 in figure 1), the block noise generated on the input video signal being detected based on the first addition signal (see output of the blockiness identifier 32 of figure 1).

Regarding claims 22, it is noted that the claimed features is similar to the processing signal of subsequent block, i.e., block 3 of figure 3 as taught by Augenbraun.

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Regarding claims 25-26, it is noted that these two claim are method claims reciting similar features called for in claims 21-22. Thus, claims 25-26 are also rejected for the same reasons as set forth in claims 21-22 above.

Allowable Subject Matter

5. Claims 23-24 27-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 23-24 and 27-28 would be allowable because the cited prior art (Augenbraun) fails to teach or suggest the features recited in claims 23 and 27. Dependent claims 24 and 28 are also allowable for the same reasons.

6. Claims 1 and 8 are allowed.

The following is an examiner's statement of reasons for allowance: Claims 1 and 8 are allowed because the cited prior art (Augenbraun) fails to teach or suggest the features of: a counter to count the number of integrated impulses of the integrated detection signal per predetermined unit of image carried by the input video signal; a plurality of delay section each delaying the counted number by a period decided based on the predetermined unit of image, thus outputting count signals for succeeding images in the predetermining unit of image, and a median section to select a middle count signal among the count signals, which is the middle in level, the middle count signal being compared with the reference signal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M Dang whose telephone number is 703-305-1464. The examiner can normally be reached on Monday to Friday from 5:30AM to 2:00PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on 703-305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dmd
11/12/04



Duy M. Dang
Patent Examiner